



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2848

DATE SCANNED 8/18/15

SCANNER NO. 2

SCAN OPERATOR TB



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT  
2014 DEC 10 AM 10:54

December 9, 2014

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer *APCO*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC/MAC*  
Assistant Staff Director  
Reports Analysis Division

BY: Kristin D. Roser/Sari Pickeral *KDR* *SP*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2014 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2014 October Quarterly Report in accordance with 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)). The 2014 October Quarterly Report was due on October 15, 2014.

The committees listed in the attached RTB Circulation Report either failed to file the report, no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

### **Recommendation**

- 1.
2. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
3. Send the appropriate letters.

Federal Election Commission  
Reason to Believe Circulation Report  
2014 OCTOBER QUARTERLY Not Election Sensitive 10/15/2014 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2845	C00556555	BARBARA MULVANEY FOR CONGRESS	MULVANEY, BARBARA	JANA MULVANEY	\$301,016	0		Not Filed	\$9,803	\$330

2848	C00543173	CORRY WESTBROOK FOR CONGRESS	WESTBROOK, CORRY	CATHERINE E. WFN7ING	\$333,044	0		Not Filed	\$66,609 (est)	\$2,970
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2853	C00550665	FRIENDS OF TERRY ADAMS	ADAMS, TERRY GLEN JR	ROBERT D. TUKE	\$193,468	0		Not Filed	\$48,367 (est)	\$1,090
2854	C00555631	HIRFS FOR CONGRESS	HIRFS, REVERLY JOY	ROY WILLI FY	\$194,087	0	11/8/2014	24	\$51,933	\$2,550

# Introduction

**In the Matter of** )  
 )  
**Reason To Believe Recommendation –** )  
**2014 October Quarterly Report (Non-** )  
**Election Sensitive) for the Administrative** )  
**Fine Program:** )  
**BARBARA MULVANEY FOR** )  
**CONGRESS, and JANA MULVANEY as** )  
**treasurer;** )

CORRY WESTBROOK FOR CONGRESS, )  
and CATHERINE E. WENZING as )  
treasurer: )

FRIENDS OF TERRY ADAMS, and )  
ROBERT D TUKE as treasurer; )  
HIRES FOR CONGRESS, and ROY )  
WILEY as treasurer; )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on December 11, 2014 the Commission took the following actions on the Reason To Believe Recommendation – 2014 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated December 09, 2014, on the following committees:

AF#2845      Decided by a vote of 6-0 to: (1) find reason to believe that BARBARA MULVANEY FOR CONGRESS, and JANA MULVANEY as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2848 Decided by a vote of 6-0 to: (1) find reason to believe that CORRY WESTBROOK FOR CONGRESS, and CATHERINE E. WENZING as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2853 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF TERRY ADAMS, and ROBERT D TUKE as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2854 Decided by a vote of 6-0 to: (1) find reason to believe that HIRES FOR CONGRESS, and ROY WILEY as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.




Federal Election Commission  
Certification for Administrative Fines  
December 11, 2014

Page 5

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**1500N-0414**

**Attest:**

  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 12, 2014

Catherine E. Wenzling, in official capacity as Treasurer  
Corry Westbrook for Congress  
1955 3rd Street  
Vero Beach, FL 32962

C00543173  
AF#: 2848

Dear Ms. Wenzling:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period July 1, 2014 through September 30, 2014, shall be filed no later than October 15, 2014. 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)). 52 U.S.C. § 30109(a)(4) (formerly 2 U.S.C. § 437g(a)(4)). On December 11, 2014, the FEC found that there is reason to believe ("RTB") that Corry Westbrook for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) by failing to file timely this report on or before October 15, 2014. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$2,970. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$2,970 is due within forty (40) days of the finding, or by January 20, 2015, and is based on these factors:

Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$66,609  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your

committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or January 20, 2015. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g). 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Corry Westbrook for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

**4. Partial Payments**

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

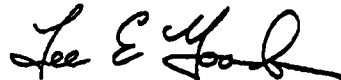
**5. Settlement Offers**

If you make a payment in an amount less than the calculated civil money penalty as an offer to settle or compromise a debt owed to the Commission, the offer is herewith rejected despite any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2) (formerly 2 U.S.C. § 437g(a)(2)). It will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) (formerly 2 U.S.C. § 437g(a)(4)(B)) and 30109(a)(12)(A) (formerly 437g(a)(12)(A)) until it is placed on the public record in accordance with 11 CFR § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Lee E. Goodman  
Chairman

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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$2,970 for the 2014 October Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The remittance and your payment are due by January 20, 2015. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**  
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FOR: Corry Westbrook for Congress

FEC ID#: C00543173

AF#: 2848

PAYMENT DUE DATE: January 20, 2015

PAYMENT AMOUNT DUE: \$2,970

FEDERAL ELECTION COMMISSION  
Office of Administrative Review  
999 E. Street, NW  
Washington, D.C. 20463

December 18, 2014

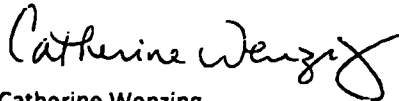
Re: C00543173  
AF# 2848

To Whom It May Concern:

I am the Treasurer of the Corry Westbrook for Congress campaign, and we received a letter from you dated Dec.12, 2014 on December 17<sup>th</sup>. You are charging us a fine of \$2970.00 for failing to file our 3<sup>rd</sup> quarter FEC report. Ms. Westbrook's campaign closed on May 2, 2014. We filed our 2<sup>nd</sup> quarter FEC report timely, and were under the impression that since the campaign had closed and was not accepting contributions after May 2<sup>nd</sup> that we did not need to file a final FEC report until we made a final distribution of the funds. We did not make any distributions in the 3<sup>rd</sup> quarter except for \$4.28 in bank charges. We did not have any contributions. We have filed our 3<sup>rd</sup> quarter report as of today, and would like to request a waiver of any fine. We will file our 4<sup>th</sup> quarter report at the end of December.

We apologize for any inconvenience. Please let me know if you need any additional information.

Sincerely,



Catherine Wenzel  
110 Woodstork Way  
Sebastian, FL 32958



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 30, 2014

Catherine E. Wenzling  
Corry Westbrook for Congress  
110 Woodstork Way  
Sebastian, FL 32958

C00543173  
AF#: 2848

Dear Ms. Wenzling

On December 29, 2014, the Commission's Office of Administrative Review ("OAR") received your written response ("challenge") for Corry Westbrook for Congress and you, in your official capacity as Treasurer, which is being reviewed by OAR. If you have any questions regarding your challenge, please contact this Office on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

Sincerely,

A handwritten signature in cursive script that reads "Rhiannon Magruder".

Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION COMMISSION  
2015 JAN 20 AM 11:59

January 20, 2015

**MEMORANDUM**

**SENSITIVE**

To: The Commission

Through: Alec Palmer *AP*  
Staff Director

From: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Rhiannon Magruder *RM*  
Reviewing Officer  
Office of Administrative Review

Subject: AF# 2848 – Corry Westbrook for Congress and Catherine E. Wenzling, in her official capacity as Treasurer (C00543173)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 20, 2015

**REVIEWING OFFICER RECOMMENDATION  
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 2848 – Corry Westbrook for Congress and Catherine E. Wenzing, in her official capacity as Treasurer (C00543173)

**Summary of Recommendation**

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$4 civil money penalty.

**Reason-to-Believe Background**

The 2014 October Quarterly Report was due on October 15, 2014. The respondents filed the report on December 18, 2014, 64 days late. The report is not election sensitive and was filed more than 30 days after the due date; therefore, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On December 11, 2014, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to timely file the 2014 October Quarterly Report and made a preliminary determination that the civil money penalty was \$2,970 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on December 12, 2014 to notify them of the Commission's RTB finding and civil money penalty.

**Legal Requirements**

The Federal Election Campaign Act ("Act") states that the treasurer of a principal campaign committee shall file a report for the quarter ending September 30 no later than October 15. 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and 11 C.F.R. § 104.5(a)(1)(i). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

**Respondents' Challenge**

On December 29, 2014, the Commission received the written response ("challenge") from the Treasurer requesting that the Commission waive the civil money penalty because the Committee was under the impression that they were not required to file the 2014 October Quarterly Report. The Treasurer further explains that the Candidate's campaign ended on May 2, 2014, and the Committee did not accept any contributions after that point. The Committee believed that no further reporting was required until the Committee "made a final distribution of funds."

The Treasurer states that the 2014 October Quarterly Report is now filed, which discloses no contributions received and only \$4.28 in disbursements for bank fees. She also mentions the Committee timely filed the 2014 July Quarterly Report and will timely file the 2014 Year End Report.

### Analysis

The respondents contend they were under the impression that they were not required to file the 2014 October Quarterly Report because of the absence of financial activity during the reporting period. However, a committee's filing obligation ends only when the committee files a termination report, and the Commission notifies them in writing that their termination report has been accepted.

On September 21, 2014, the Commission's Information Division sent an email to "info@corrywestbrookforcongress.com."<sup>1</sup> The email reminded the Committee of the 2014 October Quarterly Report filing requirement and included a link to the 2014 October Quarterly Report Prior Notice on the Commission's website. The Prior Notice contained a link to Supplemental Filing Information for Congressional Committees, which states:

"Campaigns that raise or spend more than \$5,000 for the 2014 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2014, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. See 11 CFR § 104.5(a)(1).

Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR § 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted."

In addition, page 80 of the Commission's *Campaign Guide for Congressional Candidates and Committees* explains:

"Once an individual has become a candidate, his or her principal campaign committee...must file quarterly reports. [11 C.F.R. § 104.5(a)]...All authorized committees must file quarterly reports, even if the candidate decides to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. See 52 U.S.C. §30104(a)(2). Committees must continue to file quarterly reports until the Commission notifies them in writing that their termination report has been accepted."

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<sup>1</sup> The Committee's Statement of Organization also discloses "committee@corrywestbrookforcongress.com" as an official email address. Due to a technical error, the 2014 October Quarterly Report Prior Notice was not sent to this email address.

The Committee was notified on two separate occasions that it had failed to file the 2014 October Quarterly Report. According to the Manager of the Systems Analysis and Design Branch in the Commission's Office of the Chief Information Officer, on October 16, 2014, the Electronic Filing Office ("EFO") emailed a notice to "info@corrywestbrookforcongress.com," the email address previously provided to EFO by the Committee. The notice informed the Committee that it had failed to electronically file the 2014 October Quarterly Report. On October 31, 2014, RAD sent a non-filer letter via email to "committee@corrywestbrookforcongress.com" and "info@corrywestbrookforcongress.com," the email addresses listed on the Committee's Statement of Organization.

According to RAD telecoms (written records of telephone conversations), the Committee did not contact RAD regarding their failure to file the 2014 October Quarterly Report until December 18, 2014, after the Committee received RAD's RTB Letter. In conversations with RAD Analysts, the Treasurer explained that she thought the Committee had no further reporting obligations. The Analysts clarified that reporting obligations ceased only once a termination report was filed and approved, and the 2014 October Quarterly Report should be filed.

On December 18, 2014, the Committee electronically filed the 2014 October Quarterly Report, 64 days late.

Their challenge fails to address any of the three valid grounds at 11 C.F.R § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. 11 C.F.R. § 104.14(d). Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)).

At the time of the RTB finding, the Commission used an estimated level of activity (\$66,609) to calculate the fine because the report had not yet been filed. 11 C.F.R § 111.43(d)(2)(i). The respondents' 2014 October Quarterly Report discloses \$0 in total receipts and \$4.28 in total disbursements, resulting in an actual level of activity of \$4.28. Using the schedule of penalties at 11 C.F.R § 111.43(a), the civil money penalty for a respondent with no previous violations will not exceed the level of activity in the report. Therefore, the Reviewing Officer recommends that the Commission assess a \$4 civil money penalty, reduced from the RTB civil money penalty of \$2,970.

### **OAR Recommendations**

- 1) Adopt the Reviewing Officer recommendation for AF# 2848 involving Corry Westbrook for Congress and Catherine E. Wenzing, in her official capacity as Treasurer, in making the final determination;
- 2) Make a final determination in AF# 2848 that Corry Westbrook for Congress and Catherine E. Wenzing, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and based on the actual level of activity disclosed on the 2014 October Quarterly Report (\$4.28), assess a \$4 civil money penalty (reduced from the RTB civil money penalty of \$2,970); and
- 3) Send the appropriate letter.

### **Attachments**

- Attachment 1 –
- Attachment 2 –
- Attachment 3 –
- Attachment 4 – Page 80 of *Campaign Guide for Congressional Candidates and Committees*
- Attachment 5 – Declaration from RAD
- Attachment 6 – Declaration from OAR

## 2. WHERE TO FILE REPORTS

### Filing with the Federal Government

- Principal campaign committees of House and Presidential candidates file reports and statements with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463. 105.1 and 105.3.
- Principal campaign committees of Senate candidates file reports and statements with the Secretary of the Senate. 105.2. When filing a document with the Secretary of the Senate, it is not necessary to send a copy to the FEC. The Secretary automatically makes copies of all filings and forwards them to the FEC for review.

Committees may also be required to file reports and statements with the filing office of the state in which the committee has headquarters, unless that state received a waiver from the requirement to maintain copies of FEC statements and reports. 108.1. As of 2014, all 50 states, American Samoa and the U.S. Virgin Islands have been granted waivers from the Commission.<sup>2</sup>

### Filing with the Principal Campaign Committee

Authorized committees of a campaign other than the principal campaign committee submit their reports and statements to the principal campaign committee. The principal campaign committee, in turn, files these reports and statements, along with its own, with the appropriate federal and state offices. When filing reports of receipts and disbursements (FEC Form 3), the principal campaign committee must also file a consolidated report (FEC Form 3Z), which summarizes information included in its own report and those filed by other authorized committees. See 102.1(b) and 104.3(f). Note that only authorized committees of the current campaign need to be included in the consolidated report.

<sup>2</sup> Copies of reports for House and Senate candidates running for federal office in Guam, Northern Mariana Islands or Puerto Rico must be filed with the appropriate office in those territories. Presidential committees must file a copy of each report in Guam, Northern Mariana Islands or Puerto Rico if the campaign makes an expenditure in those territories during the reporting period. 108.1 and 108.2.

## 3. WHEN TO REPORT

Committee treasurers must file reports on time (the Commission does not have legal authority to grant extensions). General rules on when to file reports are outlined below. The FEC sends more detailed information to treasurers by e-mail shortly before reports are due. (For this reason, it is especially important to list a current e-mail address on the committee's FEC Form 1.) Additionally, the Record, the FEC's newsletter, publishes reporting announcements, as does the FEC's website, [www.fec.gov/info/filing.shtml](http://www.fec.gov/info/filing.shtml). This section summarizes filing requirements applicable to all authorized committees of House and Senate campaigns. Presidential committees file reports according to a different schedule than the one presented in this section. See 104.5(b).

### Quarterly Reports

Once an individual has become a candidate, his or her principal campaign committee (and other authorized committees) must file quarterly reports. 104.5(a). Quarterly reports cover activity through the end of the calendar quarter and are due on April 15, July 15 and October 15. The fourth quarterly report—called the year-end report—is due on January 31 of the following year (additional reports are required during the candidate's election year; see below). All authorized committees must file quarterly reports, even if the candidate decides to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. See 52 U.S.C. §30104(a)(2). Committees must continue to file quarterly reports until the Commission notifies them in writing that their termination report has been accepted.

The Commission may waive a quarterly report if a pre-election report (see below) is due during the period beginning on the 5th day and ending on the 15th day after the close of the calendar quarter. 104.5(a)(1)(iii).

### DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Corry Westbrook for Congress:
  - A) Report Notice, dated September 19, 2014, referencing the 2014 October Quarterly Report (sent via electronic mail to: [info@corrywestbrookforcongress.com](mailto:info@corrywestbrookforcongress.com));
  - B) Non-Filer Letter, dated October 31, 2014, referencing the 2014 October Quarterly Report (sent via electronic mail to: [committee@corrywestbrookforcongress.com](mailto:committee@corrywestbrookforcongress.com) and [info@corrywestbrookforcongress.com](mailto:info@corrywestbrookforcongress.com));
  - C) Reason-to-Believe Letter, dated December 12, 2014 referencing the 2014 October Quarterly Report (sent via overnight mail to the address of record).
3. I hereby certify that I have searched the Commission's public records and find that Corry Westbrook for Congress filed the 2014 October Quarterly Report with the Commission on December 18, 2014.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 2<sup>nd</sup> day of January, 2015.



Kristin D. Roser  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission

## OCTOBER QUARTERLY REPORT NOTICE

### FEDERAL ELECTION COMMISSION

**CONGRESSIONAL COMMITTEES  
PARTIES AND PACS**

**September 19, 2014**

### CURRENT REPORT DUE

REPORT	CLOSE OF BOOKS <u>1</u>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
October Quarterly	09/30/14	10/15/14	10/15/14

### PRE- AND POST-ELECTION REPORTS

#### Congressional Committees

The principal campaign committee of any candidate participating in a 2014 state primary, nominating convention or runoff election – even if unopposed – must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The principal campaign committee of a candidate participating in the general election must file pre- and post-general election reports. Separate notices will be sent to explain these additional reporting obligations. See 11 CFR 104.5(a)(2).

#### Parties and PACs

Committees that make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See 11 CFR 104.5(c)(1)(ii).

- Web Page: [2014 Congressional Pre-Primary Reporting Dates](#)
- The Record:
  - [FEC Record Blog: Reporting](#)
  - [January 2014 Reporting Article \[PDF\]](#)

### SUPPLEMENTAL FILING INFORMATION

- [Congressional Committees](#)
- [Parties and PACs](#)

### REPORTING SCHEDULE FOR REMAINDER OF 2014



REPORT	CLOSE OF BOOKS <u>1</u>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Pre-General <u>2</u>	10/15/14	10/20/14	10/23/14
Post-General	11/24/14	12/04/14	12/04/14
Year-End	12/31/14	01/31/15	01/31/15 <u>3</u>

### SUPPLEMENTAL FILING INFORMATION

- Congressional Committees
- Parties and PACs

### FOOTNOTES:

*1 These dates indicate the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.*

*2 Parties and PACs: required only if committee makes contributions or expenditures in connection with the general election during the reporting period. See 11 CFR 104.5(c)(1)(ii).*

*Congressional Committees: the principal campaign committee of a candidate who participates in the general election must file pre-and post-general election reports. See 11 CFR 104.5(a)(2).*

*3 Notice that this filing deadline falls on a weekend. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed by methods other than Registered, Certified or Overnight Mail, or electronically, must be received before the Commission's (or for committees supporting only Senate candidates, the Secretary of the Senate's Public Records Office) close of business on the last business day before the deadline. See also Supplemental Filing Information [Congressional Committees] [Parties and PACs].*

**FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100**

**Return to 2014 Reporting Schedule**

### Other Filing Information:

- Electioneering Communications Periods
- 48- and 24-Hour Reports of Independent Expenditures Periods
- Coordinated Communications Periods
- Federal Election Activity Periods

*(top of page)*



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-7

October 31, 2014

CORRY WESTBROOK, TREASURER  
CORRY WESTBROOK FOR CONGRESS  
1955 3RD ST  
VERO BEACH, FL 32962

IDENTIFICATION NUMBER: C00543173

REFERENCE: OCTOBER QUARTERLY REPORT (07/01/2014 - 09/30/2014)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended. 52 U.S.C. §30104(a) (formerly 2 U.S.C. §434(a))

It is important that you file this report immediately. The report must be filed with the Federal Election Commission, 999 E Street, N.W., Washington, DC 20463 for House candidates, or the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510 (if sent via overnight delivery service) or Senate Office of Public Records, P.O. Box 77578, Washington, DC 20013-7578 (if sent via USPS) for Senate Candidates. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at [www.fec.gov](http://www.fec.gov).

The failure to timely file a complete report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

CORRY WESTBROOK FOR CONGRESS

Page 2 of 2

If you have any questions regarding this matter, please contact Christopher Ritchie at our toll-free number (800)424-9530. The analyst's direct number is (202)694-1146.

Sincerely,

*Debbie Chacona*

Deborah Chacona  
Assistant Staff Director  
Reports Analysis Division

250

1-800-424-9530

### DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) The principal campaign committee of a candidate must file a report for the quarter ending September 30 no later than October 15. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on October 15 for the October Quarterly Report to be timely filed.
- 3) It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the administrative fine regulations, including due dates of reports and filing requirements.
- 4) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
  - a) Page 1 of the Statement of Organization filed by Corry Westbrook for Congress and Catherine E. Wenzing, in her official capacity as Treasurer. According to the Commission's records, the document was received on April 12, 2013 and lists "committee@corrywestbrookforcongress.com" and "info@corrywestbrookforcongress.com" as the Committee's email addresses;
  - b) Cover Letter, Report Cover Page, Summary Page, and Detailed Summary Pages for the 2014 October Quarterly Report electronically filed by Corry Westbrook for Congress and Catherine E. Wenzing, in her official capacity as Treasurer. According to the Commission's records, the report covers the period from July 1 through September 30, 2014 and was received on December 18, 2014.
- 5) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 20th day of January, 2015.



Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review  
Federal Election Commission

FEC  
FORM 1

STATEMENT OF  
ORGANIZATION

RECEIVED

2013 APR 12 AM 9:42

FEC MAIL CENTER

1. NAME OF  
COMMITTEE (in full)

(Check if name  
is changed)

Example: If typing, type  
over the lines.

12FE4M5

CORRY, WESTBROOK FOR CONGRESS

ADDRESS (number and street)

1127 21 ST STREET

(Check if address  
is changed)

VERO BEACH

CITY

FL

STATE

32960

ZIP CODE

COMMITTEE'S E-MAIL ADDRESS

(Check if address  
is changed)

COMMITTEE@CORRYWESTBROOKFORCONGRESS.COM

Optional Second E-Mail Address

INFO@CORRYWESTBROOKFORCONGRESS.COM

COMMITTEE'S WEB PAGE ADDRESS (URL)

(Check if address  
is changed)

WWW.CORRYWESTBROOKFORCONGRESS.COM

2. DATE 04 '04' 2013

3. FEC IDENTIFICATION NUMBER

C00543173

4. IS THIS STATEMENT

NEW (N)

OR

X

AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Corry Westbrook

Signature of Treasurer

Corry Westbrook

Date

04 '04' 2013

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.  
ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office  
Use  
Only

For further information contact:  
Federal Election Commission  
Toll Free 800-424-9530  
Local 202-694-1100

FEC FORM 1  
(Revised 06/2012)

**FEC  
FORM 3****REPORT OF RECEIPTS  
AND DISBURSEMENTS**  
For An Authorized Committee

Office Use Only

1. NAME OF  
COMMITTEE (in full)

TYPE OR PRINT ▼

Example: If typing, type  
over the lines.

12FE4M5

Corry Westbrook for Congress

ADDRESS (number and street)

110 Woodstork Way

X

Check if different  
than previously  
reported. (ACC)

Sebastian

FL

32958

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

STATE ▼ DISTRICT

C C00543173

3. IS THIS  
REPORT

X

NEW  
(N)

OR

AMENDED  
(A)

FL

08

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

X

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the  
State of

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the  
State of

5. Covering Period

07

01

2014

through

09

30

2014

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Catherine Wenzling

Signature of Treasurer

Catherine Wenzling

[Electronically Filed]

Date

12

18

2014

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office  
Use  
Only**FEC FORM 3**  
(Revised 02/2003)

# SUMMARY PAGE

of Receipts and Disbursements

FEC Form 3 (Revised 02/2003)

PAGE 2 / 7

Write or Type Committee Name

Corry Westbrook for Congress

Report Covering the Period: From: 07 01 2014 To: 09 30 2014

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e)) ....	0.00	169545.61
(b) Total Contribution Refunds (from Line 20(d)) .....	0.00	9327.39
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a)) .....	0.00	160218.22
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17) .....	4.28	142519.95
(b) Total Offsets to Operating Expenditures (from Line 14) .....	0.00	0.00
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a)) .....	4.28	142519.95
8. Cash on Hand at Close of Reporting Period (from Line 27) .....	29363.71	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D) .....	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D) .....	10000.00	

## For further information contact:

Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Toll Free 800-424-9530  
Local 202-694-1100

# **DETAILED SUMMARY PAGE** of Receipts

FEC Form 3 (Revised 12/2003)

PAGE 3 / 7

Write or Type Committee Name

Corry Westbrook for Congress

Report Covering the Period: From: 07 01 2014 To: 09 30 2014

I. RECEIPTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A) .....	0.00	136011.54
(ii) Unitemized .....	0.00	19396.03
(iii) TOTAL of contributions from individuals .....	0.00	155407.57
(b) Political Party Committees .....	0.00	0.00
(c) Other Political Committees (such as PACs) .....	0.00	14138.04
(d) The Candidate .....	0.00	0.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(iii), (b), (c), and (d))..	0.00	169545.61
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES .....	0.00	0.00
13. LOANS:		
(a) Made or Guaranteed by the Candidate .....	0.00	0.00
(b) All Other Loans .....	0.00	10000.00
(c) TOTAL LOANS (add Lines 13(a) and (b)) .....	0.00	10000.00
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.) .....	0.00	0.00
15. OTHER RECEIPTS (Dividends, Interest, etc.) .....	0.00	1460.63
16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4) .....	0.00	181006.24



# **DETAILED SUMMARY PAGE** of Disbursements

FEC Form 3 (Revised 02/2003)

PAGE 4 / 7

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	4.28	142519.95
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES .....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of All Other Loans .....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees .....	0.00	8327.39
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	1000.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	9327.39
21. OTHER DISBURSEMENTS .....	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ►	4.28	151847.34

## **III. CASH SUMMARY**

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	29367.99
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	0.00
25. SUBTOTAL (add Line 23 and Line 24).....	29367.99
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	4.28
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	29363.71



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 23, 2015

Catherine E. Wenzing  
Corry Westbrook for Congress  
110 Woodstork Way  
Sebastian, FL 32958

C00543173  
AF#: 2848

Dear Ms. Wenzing,

On December 11, 2014, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Corry Westbrook for Congress and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2014 October Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$2,970 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Rhiannon Magruder". The signature is written in a cursive, flowing style.

Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2015 FEB 10 AM 9:53

February 10, 2015

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *AP*  
Staff Director

From: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Rhiannon Magruder *RM*  
Reviewing Officer  
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2848 – Corry Westbrook for Congress and Catherine E. Wenzling, in her official capacity as Treasurer (C00543173)

On December 11, 2014, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to timely file the 2014 October Quarterly Report and made a preliminary determination that the civil money penalty was \$2,970 based on the schedule of penalties at 11 C.F.R. § 111.43.

On December 29, 2014, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated January 20, 2015 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. They submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB, or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

At the time of the RTB finding, the Commission used an estimated level of activity to calculate the fine because the report had not yet been filed. 11 C.F.R. § 111.43(d)(2)(i). The Reviewing Officer recommended that the Commission make a final determination that they violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess a \$4 civil money penalty based on the level of activity of the 2014 October Quarterly Report.

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge

# **THEORY**

[illegible]

- [illegible]

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 2848  
Final Determination Recommendation – )  
Corry Westbrook for Congress and )  
Catherine E. Wenzling, in her official )  
capacity as Treasurer (C00543173) )

CERTIFICATION

I, Shelley E. Garr, recording secretary for the Federal Election Commission executive session on April 21, 2015, do hereby certify that the Commission decided by a vote of 6-0 to:

1. Terminate the proceedings pursuant to 11 C.F.R. 111.37(b).
2. Send the appropriate letters.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 23, 2015  
Date

Shelley E. Garr  
Shelley E. Garr  
Deputy Secretary of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 22, 2015

Catherine E. Wenzling  
Corry Westbrook for Congress  
110 Woodstork Way  
Sebastian, FL 32958

C00543173  
AF#: 2848

Dear Ms. Wenzling,

On December 11, 2014, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Corry Westbrook for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for failing to file the 2014 October Quarterly Report. By letter dated December 12, 2014, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$2,970 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On December 29, 2014, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Corry Westbrook for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and based on the actual level of activity disclosed on the 2014 October Quarterly Report (\$4.28), assess a civil money penalty in the amount of \$4 in accordance with 11 C.F.R. § 111.43. A copy of the Reviewing Officer Recommendation was sent to you on January 23, 2015.

On February 24, 2015, the Commission received payment of the civil money penalty recommended in the Reviewing Officer Recommendation. On April 21, 2015, the Commission failed to adopt the Reviewing Officer's recommendation, and voted to terminate the proceedings with respect to 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and close the file. Please note, the Commission will be issuing a refund of \$4.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) (formerly 2 U.S.C. § 437g(a)(12)) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

# **THE FOUNDATION**

Am M Ravel

Attachment

FOR: Corry Westbrook for Congress

FEC ID#: C00543173 ✓

AF#: 2848 ✓

PAYMENT DUE DATE: January 20, 2015

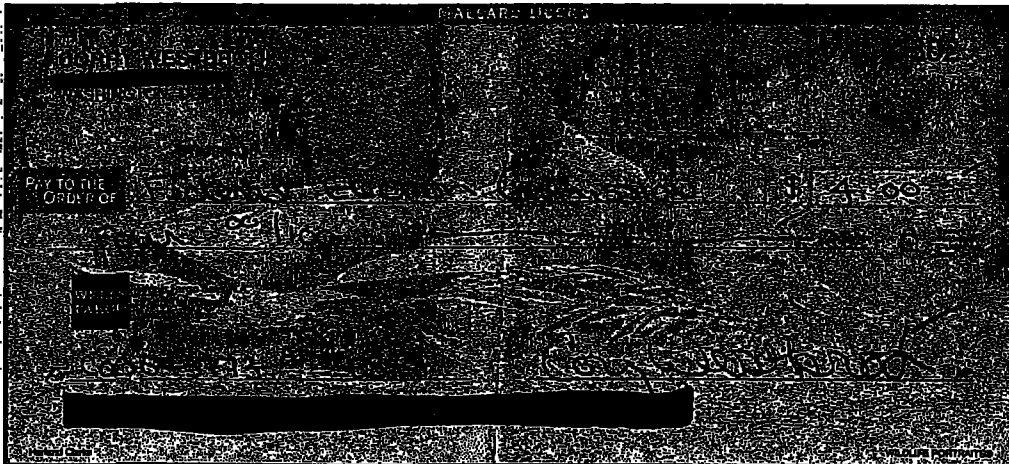
PAYMENT AMOUNT DUE: \$2,970

FEDERAL ELECTION COMMISSION

Lockbox: GLX-979058 Ledger Date 02/23/2015

**usbank.**

St. Louis GA Lockbox  
(314) 425-1818



Batch	Item	TID	Batch Total	Amount
1	1	Y-3053290	\$604.00	\$4.00





FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2848

DATE SCANNED 9/18/15

SCANNER NO. 2

SCAN OPERATOR JD